

Message Text

UNCLASSIFIED

PAGE 01 STATE 194971

20

ORIGIN IO-13

INFO OCT-01 ISO-00 PRS-01 EB-07 L-03 /025 R

DRAFTED BY IO/CMD:ELBRUCE:JPS

APPROVED BY IO:RDMOREY

----- 026480

P R 060044Z AUG 76

FM SECSTATE WASHDC

TO USMISSION GENEVA PRIORITY

INFO USMISSION USUN NEW YORK

UNCLAS STATE 194971

E.O. 11652: N/A

TAGS: ECOSOC

SUBJECT: 61ST ECOSOC: ILLICIT PAYMENTS RESOLUTION

FOR AMBASSADOR MYERSON

THE FOLLOWING ARTICLE APPEARED ON P. 43 OF THE NEW YORK
TIMES OF AUGUST 5.

BEGIN QUOTE

THE UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL AGREED
TODAY TO SET UP AN INTERGOVERNMENTAL GROUP THAT WOULD PRE-
PARE AN ACCORD DESIGNED TO PREVENT BRIBERY AND OTHER
CORRUPT PRACTICES BY MULTINATIONAL COMPANIES.

ACTING ON A UNITED STATES INITIATIVE, THE 54-NATION
COUNCIL ADOPTED BY CONSENSUS AT A MEETING OF ITS ECONOMIC
COMMITTEE A RESOLUTION CALLING FOR THE SPECIAL WORKING
GROUP OF 18 NATIONS TO COMPLETE ITS TASK BY NEXT SUMMER.

THE ACCORD WOULD BE SUBMITTED TO THE COUNCIL AT ITS
ANNUAL SESSION HERE. IF APPROVED, IT WOULD BE FORWARDED
TO THE GENERAL ASSEMBLY FOR FINAL ACTION.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 194971

THIS RESOLUTION WAS ADOPTED AFTER PROTRACTED INFORMAL NEGOTIATIONS IN WHICH THE "GROUP OF 77," A CAUCUS OF DEVELOPING COUNTRIES, PLAYED A MAJOR ROLE. THESE COUNTRIES SOUGHT TO EMPHASIZE THAT CORRUPT PRACTICES WAS ONLY ONE ASPECT OF THEIR CONCERN OVER THE CONDUCT OF MULTINATIONAL CORPORATIONS.

NEVERTHELESS, THE TEXT THAT EMERGED FROM THE NEGOTIATIONS COVERED THE SUBSTANCE OF WHAT THE UNITED STATES HAD SOUGHT WHEN IT INITIATED THE DISCUSSION BY PRESENTING A RESOLUTION AGAINST BRIBERY.

FOR THIS REASON THE AMERICAN REPRESENTATIVE, ROBERT W. KITCHEN, ANNOUNCED THAT HE WAS DELIGHTED TO WITHDRAW THE RESOLUTION IN FAVOR OF THE COMPROMISE TEXT THAT WAS PRESENTED IN THE NAME OF THE ECONOMIC COMMITTEE'S CHAIRMAN, LADISLAV SMID OF CZECHOSLOVAKIA.

MR. KITCHEN ALSO STRESSED THAT IN DECIDING TO TACKLE THE QUESTION OF BRIBERY SEPARATELY "WE IN NO WAY DENIGRATE THE INTEREST OF US ALL "IN A PROJECTED CODE OF CONDUCT THAT IS TO BE DRAFTED BY THE UNITED NATIONS COMMISSION ON TRANSNATIONAL CORPORATIONS.

THE APPROVED RESOLUTION REAFFIRMED THE COUNCIL'S CONCERN THAT THE FORMULATION OF THE CODE SHOULD HAVE THE "HIGHEST PRIORITY" AND THAT THIS SHOULD NOT BE DELAYED IN ANY WAY BY THE WORK ON THE PACT COVERING BRIBERY.

THE UNITED STATES RESOLUTION HAD EXPRESSED THE HOPE THAT THIS PACT WOULD TAKE THE FORM OF A CONVENTION ON "MEASURES TO COMBAT ILLICIT PAYMENTS TO GOVERNMENT OFFICIALS IN CONNECTION WITH INTERNATIONAL TRANSACTIONS" THAT THE GENERAL ASSEMBLY WOULD OPEN THE SIGNATURE AT ITS REGULAR 1977 SESSION.

THE COUNCIL'S RESOLUTION, HOWEVER, DOES NOT SPECIFY THE FORM THE ACCORD ON BRIBERY SHOULD TAKE OR WHAT "FINAL ACTION" WILL BE EXPECTED OF THE GENERAL ASSEMBLY. THIS LEAVES OPEN THE POSSIBILITY THAT THE ACCORD COULD BE LEFT UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 194971

TO BE INCORPORATED INTO THE WIDER CODE OF CONDUCT AS SOME DEVELOPING COUNTRIES WOULD PREFER.

THE COUNCIL IS TO SELECT THE NATIONS IN THE WORKING GROUP ON THE BASIS OF GEOGRAPHICAL DISTRIBUTION. IT IS NOT EXPECTED TO REACH AN AGREEMENT ON THE GROUP'S COMPOSITION BEFORE THE END OF ITS CURRENT SESSION TOMORROW. THE WORKING GROUP ITSELF IS EXPECTED TO HOLD ITS FIRST

MEETING IN OCTOBER.

SECRETARY OF COMMERCE ELLIOT L. RICHARDSON SAID
YESTERDAY IN WASHINGTON THAT A BASIC SOLUTION OF THE
BRIBERY PROBLEM WOULD REQUIRE A NEW INTERNATIONAL TREATY
IN THE FRAMEWORK OF THE UNITED NATIONS. AS A FIRST STEP,
THE INDUSTRIAL NATIONS, THROUGH THE ORGANIZATION FOR
ECONOMIC COOPERATION AND DEVELOPMENT, HAVE ADOPTED A
VOLUNTARY CODE OF CONDUCT FOR MULTINATIONALS. END QUOTE.
HABIB

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, BRIBERY, CORRUPTION, PRESS COMMENTS, MULTINATIONAL CORPORATIONS, RESOLUTIONS, COMMITTEES
Control Number: n/a
Copy: SINGLE
Draft Date: 06 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE194971
Document Source: CORE
Document Unique ID: 00
Drafter: ELBRUCE:JPS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760303-0207
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760877/aaaacouj.tel
Line Count: 125
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN IO
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: SmithRJ
Review Comment: n/a
Review Content Flags:
Review Date: 12 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 APR 2004 by ReddocGW>; APPROVED <14 DEC 2004 by SmithRJ>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: 61ST ECOSOC: ILLICIT PAYMENTS RESOLUTION FOR AMBASSADOR MYERSON THE FOLLOWING ARTICLE APPEARED ON P. 43 OF THE NEW
TAGS: EGEN, US, ECOSOC
To: GENEVA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006